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PART II—Section 4

Statutory Rules and Orders issued by the
Ministry of Defence

MINISTRY OF DEFENCE

S.R.O. No. 249, dated 18th July 1960.—In exercise of the powers conferred by section 13 of the National Cadet Corps Act, 1948 (31 of 1948), the Central Government hereby makes the following further amendment in the National Cadet Corps Rules, 1948, namely:—

in the said rules,

In rule 43, sub-rule (2), clause (b) (iv) shall be omitted.

V. SUBRAHMANYAN, Dy. Secy.

FARM FUND OF THE KUMAON REGIMENTAL FARM AT KAMOLA AND UDAIPURI.

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890

AND

IN THE MATTER OF THE FARM FUND OF THE KUMAON REGIMENTAL FARM AT KAMOLA
AND UDAIPURI.

S.R.O. 250, dated 19th July 1960.—Whereas the Commandant, Kumaon Regimental Centre, acting in the administration of the Fund mentioned above and as the person who proposes to apply the Fund in trust for charitable objects has applied for vesting the Fund mentioned in Schedule "A" hereto in the Treasurer of Charitable Endowments for India and for the settlement of a Scheme for the administration of the said Fund.

It is hereby notified that the Central Government in exercise of the powers conferred by sections 4 and 5 of the Charitable Endowments Act, 1890 (6 of 1890), and upon the application as aforesaid and with the concurrence of the said Commandant, Kumaon Regimental Centre, doth hereby order and direct that the assets set out in Schedule "A" hereto shall as from the 19th April, 1960 vest and be henceforth vested, in the Treasurer of Charitable Endowments for India to be held by him and his successors in office (subject to the provisions of the Charitable Endowments Act, 1890, and the rules that may be framed from time to

time thereunder by the Central Government) upon trust to hold the said assets and the income thereof in accordance with the trust and terms set out in the Scheme set forth in Schedule "B" hereto.

And it is hereby further notified that upon the application as aforesaid and with the concurrence of the said Commandant, Kumaon Regimental Centre, the Central Government has under sub-section (1) of section 5 of the said Act settled the Scheme set forth in Schedule "B" hereto for the administration of the said endowment and under sub-section (3) of the said section 5 of the said Act, it is hereby further ordered that it shall come into force from the 19th April, 1960.

S.R.O. 199 dated the 30th May, 1960 published in Part II Section 4 of the Gazette of India dated the 11th June, 1960/21st Jaistha 1882 is hereby cancelled.

SCHEDULE "A"

(a) Immovable Property ..

| Location | Description | Area and value |
|---|----------------------|--|
| Kamola Tehsil Kaladhungi District Nainital | 1. Dispensary | 30ft. × 24 ft. Approximate value Rs. 4,000 |
| | 2. Thimayya Lodge | 30 ft. × 24 ft. Approximate value Rs. 4,000 |
| | 3. Guest House No. 1 | 30 ft. × 35 ft. Approximate value Rs. 5,000 |
| | 4. Guest House No. 2 | 28 ft. × 26 ft. Approximate value Rs. 3,500 |

(b) Case endowment

| Particulars | Amount |
|--|------------------|
| Balance cash credit of the Kumaon Regimental Centre Estate Farm Fund on the 19th April, 1960 | Rs. 16,971.27np. |

SCHEDULE "B"

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890

AND

IN THE MATTER OF THE FARM FUND OF THE KUMAON REGIMENTAL FARM AT KAMOLA AND UDAIPURI (THIMAYYA BAGH).

Scheme for the administration of the Fund above mentioned.

1. Definitions.—Unless excluded by or repugnant to the context:—

- (a) 'Fund' and 'Trust Fund' shall mean 'Farm Fund of the Kumaon Regimental Farm at KAMOLA and UDAIPURI (THIMAYYA BAGH)', constituted under this scheme;
- (b) 'Board' shall mean 'The Board of Administration' constituted to administer the Trust Fund;
- (c) 'Charitable purpose' shall mean relief to the poor and their dependants, education, medical relief and the advancement of any other object of general public utility;

(d) 'Dependants' shall mean

- (i) Widow.
- (ii) (a) Son under eighteen years of age (b) infirm son.
- (iii) Daughter unmarried.
- (iv) Widowed mother.
- (v) Father, if infirm.
- (vi) Sister unmarried.
- (vii) Brother under eighteen years of age;
- (e) "the Treasurer" shall mean the Treasurer of Charitable Endowments for India.

2. Name of the fund.—There shall be a fund called "The Farm Fund of the Kumaon Regimental Farm, KAMOLA and UDAIPURI (THIMAYYA BAGH)".

3. Objects.—The objects of the Fund shall be:—

- (a) to take over and credit the sums available from the proceeds of the Kumaon Regimental Farm at KAMOLA and UDAIPURI (THIMAYYA BAGH) and to utilise the Fund for charitable purposes, to help serving soldiers and ex-servicemen of the Kumaon Regiment and their dependants, and provide free medical facilities to the local people of village KAMOLA;
- (b) to manage and administer the Fund in accordance with this Scheme;
- (c) to apply the corpus and the income of the Fund for the collective benefit of the persons eligible for benefit hereunder and their dependants;
- (d) to defray all proper costs, charges and expenses of and incidental to such administration;
- (e) to do all other things as are incidental or conducive to the attainment of the above objects or any of them or the carrying out of this Scheme.

4. Extent.—The objects of the Fund extend to the whole of India.

5. Persons eligible for benefit.—All personnel of the Kumaon Regiment and their dependants shall be eligible to receive benefit irrespective of the place of their residence in India provided that the following persons shall not be eligible to receive benefit, namely:—

- (a) who have voluntarily left the Army before completion of five years of service;
- (b) who were dismissed or cashiered;
- (c) whose disability is attributable to their neglect or misconduct.

6. Vesting of assets.—The assets of the Fund particulars whereof are set out in the Schedule 'A' above shall be vested in the Treasurer of Charitable Endowments for India under this Scheme.

The Treasurer shall not act in the management or administration of the Fund but shall hold the said assets subject to the provisions of the Charitable Endowments Act, 1890 (6 of 1890) and the directions of the Board as hereinafter constituted. Notwithstanding such vesting, the Treasurer shall permit the Board to have the possession, management and control of all the assets of the Fund, except the securities for money, as if the same were vested in the Board. The Treasurer shall apply, invest or dispose of the assets of the Fund and the income thereof in accordance with the directions of the Board given from time to time.

7. The Board of Administration.—The fund shall be administered by a Board.

8. Unless otherwise decided by the Central Government the Board shall consist of a Presiding Officer and six other members as specified below; the members being nominated by the Presiding Officer.

Presiding Officer.—Commandant, The Kumaon Regimental Centre or an officer for the time being entrusted with the functions, duties and powers of the Commandant.

Members.—Three officers and three Junior Commissioned Officers of whom one shall be a Subedar Major.

The Presiding Officer shall appoint an officer of the Kumaon Regimental Centre, as Secretary of the Board. The members and the Secretary shall hold office for the duration of their appointments only at the Kumaon Regimental Centre.

9. *Control of the Central Government.*—The Board shall have, subject to the control and directions of the Central Government, all powers which may be necessary or expedient in the proper management and administration of the Fund.

10. *Powers of the Board.*—Without prejudice to the generality of the powers conferred on the Board, the Board shall have, subject to the control of the Central Government, the following powers, namely:—

- (a) to control and direct the entire working of the Fund and the farm;
- (b) to frame rules and rescind them with the approval of the Central Government;
- (c) subject to the provisions of the Charitable Endowments Act, 1890 (6 of 1890), to control and administer the Fund and to apply the same or any part thereof as the Board may consider conducive to the objects aforesaid and to direct the Treasurer of Charitable Endowments to invest any such moneys and from time to time to realise and vary such investments;
- (d) to make grants to those eligible for such grants under the rules of the Fund;
- (e) to appoint such officers, clerks and servants for permanent, temporary or special services, as the Board may from time to time think fit, to remove or suspend them in its discretion, to determine their powers and duties and to fix their salaries and emoluments;
- (f) generally to do such things as it may consider necessary or expedient for carrying out the objects aforesaid.

11. *Functioning of the Board.*

- (a) The Presiding Officer shall preside and at least three other members must be present at all meetings of the Board for transacting the business of the Board. The Presiding Officer and three other members shall form the quorum.
- (b) The Board shall meet as often as required. The date, time and place of such meeting shall be fixed by the Presiding Officer.
- (c) The members of the Board and the Secretary shall not be entitled to any remuneration from the Fund but will be paid any out of pocket expenses that they may have to incur in performance of their duty as members or as Secretary.

12. The Board shall function notwithstanding any vacancy in its body and no act or proceeding of the Board shall be invalidated merely by a reason of the existence of a vacancy or vacancies among its members or of any defect in the appointment of its members.

13. (a) In cases where the Presiding Officer does not agree with the decision of the majority of the Board, the matter shall be referred to the Central Government and their decision shall be final.

(b) Any member of the Board may require that any decision or order of the Board or any question which may arise respecting the management or administration of the Trust be referred to the Central Government for direction and the direction of the Central Government on such reference shall be binding on the Board. No effect shall be given to any such decision or order pending such reference.

14. The Board shall cause regular accounts to be kept and duly audited of all moneys and properties belonging to the Fund.

15. **Duties of the Secretary.**—The Secretary of the Board shall perform the following duties:—

- (a) exercise all powers and do all such acts as may be required for the proper conduct or ordinary current administrative business of the Board;
- (b) be responsible to the Board for the discharge of all duties performed by him;
- (c) bring to the notice of the Board all matters requiring action by the Board and give notice of all meetings to be held by the Board;
- (d) unless prevented by illness or excused by the Presiding Officer, he shall attend all meetings of the Board and record minutes of such meetings;
- (e) conduct all correspondence of the Board;
- (f) receive all applications for grant which will be put up to the Board, and
- (g) draft the annual report on the working and administration of the Fund at the end of each year.

16. **Contracts.**—All contracts relating to the management and administration of the Fund shall be expressed to be made by the Board and shall be executed on behalf of the Board by at least three members of the Board nominated by the Presiding Officer for that purpose.

17. **Deposit of Moneys.**—All moneys realised from the farm shall be deposited in one or more accounts at the State Bank of India or any other scheduled bank approved in this behalf by the Central Government.

S. DEVANATH, Dy. Secy.

S.R.O. 251, dated 19th July 1960.—The following further amendments to the Byelaws for the provision of culverts and pavements in the Shahjahanpur Cantonment published under S.R.O. 155 dated 17-4-1954 made by the Cantonment Board, Shahjahanpur, in exercise of the powers conferred by clause (28) of section 282 and section 283 of the Cantonments Act, 1924 (Act 2 of 1924) are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

Amendments

In byelaw 9 of the said byelaws, the following shall be inserted at the end namely:—

“The applicant shall furnish a declaration in the form set forth as Appendix to these bye-laws”.

APPENDIX

FORM OF DECLARATION

I/We.....owner(s) of the House/Bungalow No. Shahjahanpur Cantonment, do hereby declare that I/we have been permitted to construct a culvert and pavement for the purpose of ingress to and egress from the said house/bungalows No. on the land described in the Schedule hereunder written on the understanding that I and my/we and our heirs, successors and assigns are merely licences and that the Central Government/Cantonment Board's right to the land is not affected in any way and that the sanction given is subject to the provisions laid down in the bye-laws for the regulation of provision of pavements and culverts in the Shahjahanpur Cantonment and the license herein shall be terminable by the Central Government/Cantonment Board at any time without any previous notice to me.

In witness whereof I/we have hereunto set our hand on the.....
day of19..

SCHEDULE

Signed by in the presence of

.....
.....
.....
.....

Accepted/confirmed

For and on behalf of the President of India.

[No. F. 12/59/G/L&C/55.]

S.R.O. 252, dated 19th July 1960.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board Saugor by reason of the acceptance by the Central Government of the resignation of Shri J. R. Bedekar, Magistrate 1st Class.

[No. 19/10/G/L&C/55.]

S.R.O. 253, dated 19th July 1960.—In pursuance of sub-section (7) of section 13 of the Cantonment Act, 1924 (2 of 1924), the Central Government is pleased to notify that Shri H. C. Dass Magistrate 1st Class has been nominated as a member of the Cantonment Board Saugor by the District Magistrate Saugor in exercise of the powers conferred under section 13(3)(b) *ibid* vice Shri J. R. Bedekar Magistrate 1st Class resigned.

[No. 19/10/G/L&C/55.]

S.R.O. 254, dated 19th July 1960.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board Dinapore by reason of the acceptance by the Central Government of the resignation of Shri N. K. Jha, Magistrate 1st Class.

[No. 19/2/G/L&C/60.]

S.R.O. 255, dated 19th July 1960.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that Shri S. Kumar, I.A.S., Magistrate 1st Class has been nominated as a member of the Cantonment Board Dinapore by the District Magistrate Patna in exercise of the powers conferred under section 13(3)(b) *ibid* vice Shri N. K. Jha Magistrate 1st Class resigned.

[No. 19/2/G/L&C/60.]

CANTONMENT—TAXATION

S.R.O. 256, dated 19th July 1960.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924), and with the previous sanction of the Central Government, the Cantonment Board, Jabalpur, makes the following amendments in the late C.P. and Berar Gazette Notification No. 268-228-II dated 16th February 1932 relating to the levy and assessment of conservancy tax in Jabalpur Cantonment, namely:—

In the said notification,—

(a) for para 1 the following shall be substituted namely:—

“1. A conservancy tax on the annual value of the buildings and lands to be paid by the owner or occupier of every building and land within Cantonment limits at the following yearly rates:—

| | Rs. nP. |
|---|---------|
| If the annual value is less than Rs. 6/- a tax of .. | 1 50 |
| If the annual value is Rs. 6/- but less than Rs. 12/- a tax of .. | 2 25 |
| If the annual value is Rs. 12/- but less than Rs. 36/- a tax of .. | 3 00 |

| | |
|--|-------|
| If the annual value is Rs. 36/- but less than Rs. 60/- a tax of .. | 6 00 |
| If the annual value is Rs. 60/- but less than Rs. 120/- a tax of .. | 7 50 |
| If the annual value is Rs. 120/- but less than Rs. 180/- a tax of .. | 9 00 |
| If the annual value is Rs. 180/- but less than Rs. 240/- a tax of .. | 12 00 |
| If the annual value is Rs. 240/- but less than Rs. 360/- a tax of .. | 15 00 |
| If the annual value is Rs. 360/- but less than Rs. 480/- a tax of .. | 18 00 |
| If the annual value is Rs. 480/- but less than Rs. 600/- a tax of .. | 24 00 |
| If the annual value is Rs. 600/- but less than Rs. 900/- a tax of .. | 30 00 |
| If the annual value is Rs. 900/- but less than Rs. 1200/- a tax of .. | 36 00 |
| If the annual value is Rs. 1200/- but less than Rs. 1500/- a tax of .. | 42 00 |
| If the annual value is Rs. 1500/- but less than Rs. 1800/- a tax of .. | 48 00 |
| If the annual value is Rs. 1800/- and over a tax of .. | 54 00 |
| (b) in para 2, for the words "at a monthly rate of four annas" the words "at the rate of three rupees per half year", shall be substituted; | |
| (c) for para 4, the following shall be substituted, namely:— | |
| "4. All individual items shall be calculated to the nearest naya paisa, fractions below half naya paisa being omitted, and half naya paisa or over being reckoned, as one naya paisa"; | |
| (d) in paras 6 and 7, for the words "Cantonment Authority", the words "Cantonment Board" shall be substituted. | |

CANTONMENT—TAXATION—HOUSE TAX

S.R.O. 257, dated 22nd July 1960.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924) and in supersession of the notification of the Government of India in the late Defence Department No. 160 dated the 24th January 1948, the Cantonment Board, Delhi with the previous sanction of the Central Government, hereby imposes a tax at the rate of 12½% per annum on the annual value of lands and buildings situated within the limits of the Delhi Cantonment.

[No. F. 53/16/G/L&C/60.]

S.R.O. 258, dated 22nd July 1960.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government, hereby notifies that a vacancy has occurred in the Cantonment Board, Shahjahanpur by reason of the death of Dr. Mithan Lal an elected member of the Cantonment Board.

[No. F. 29/39/G/L&C/57.]

DIVISION OF CANTONMENT INTO WARDS

S.R.O. 259, dated 22nd July 1960.—The following draft of certain rules regulating the division of the Cantonment of Lucknow into Wards for the purpose of holding Elections thereto in the said Cantonment and the determination of the number of members to be elected by each ward, which the Central Government proposes to make in exercise of the powers conferred by Clauses (a) and (b) of section 31 of the Cantonments Act, 1924 (2 of 1924) and in

supersession of the notification of the Government of India in the Ministry of Defence No. S.R.O. 43 dated the 6th February 1954 is published as required by the said section, for the information of all persons likely to be effected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 27th August 1960.

Any objection or suggestion which may be received from any person through the General Officer Commanding-in-Chief, Eastern Command, with respect to the said draft before the date as specified will be considered by the Central Government.

DRAFT RULES

1. **Short title and commencement.**—(i) These rules may be called the Lucknow Cantonment (Division into Wards) Rules, 1960. (ii) They shall come into force at once.

2. **Division of Cantonment into Wards.**—For the purpose of holding elections to the Cantonment Board, the Cantonment of Lucknow shall be divided into the following wards, namely:

- Ward—I.
- Ward—II.
- Ward—III.
- Ward—IV.
- Ward—V.
- Ward—VI.

3. **Boundaries of Wards.**—The boundaries of each of the said ward shall be specified in the Schedule to these rules.

4. **Number of Members to be elected.**—The number of Members to be elected by each of the said Wards shall be as follows:—

| | | |
|--------------|-------|---|
| Ward No. I | | 2 (includes one Schedule Caste Member), |
| Ward No. II | | 1 |
| Ward No. III | | 1 |
| Ward No. IV | | 1 |
| Ward No. V | | 1 |
| Ward No. VI | | 1 |

SCHEDULE

BOUNDARIES OF WARDS

Ward No. I.—From Cantt. Boundary Pillar No. 19 along with Cantt. Boundary upto Boundary Pillar No. 50. From Cantonment Boundary Pillar No. 50 towards North East along Rai Bareilly Road upto Mahatma Gandhi Road crossing, turn towards North East along M.G. Road upto Nehru Road crossing, Turn towards East South along Nehru Road upto Kasturba Road Crossing, turn towards North along Kasturba Road upto Dilkusha Road Crossing, turn towards North East along Dilkusha Road upto Biblapur road crossing, turn towards East South along Biblapur Road upto burning Ghat Road crossing, turn to North East along burning ghat road upto Boundary pillar No. 19.

Ward No. II.—From petrol Tank on Mahatma Gandhi Road (South side) upto the crossing of Dilkusha Road and Mahatma Gandhi Road, turn towards East along Dilkusha Road upto Kasturba and Dilkusha Road Crossing, turn towards South along Kasturba Road upto the crossing of Nehru and Kasturba Road, turn towards North West along Nehru Road upto the crossing of L. Gurcharan Lal Road, turn towards North East along L. Gurcharan Lal Road upto Butcher Mohal crossing, turn towards East along Butcher Mohal Road upto Debi Street crossing, turn towards North East along Debi Street upto petrol Tank on Mahatma Gandhi Road.

Ward No. III.—From Cantonment Boundary pillar No. 81 along the North side along the nallah upto Cantt. Boundary pillar No. 1 from Cantonment Boundary Pillar No. 1 along Cantt. Boundary upto Cantt. Boundary Pillar No. 19, the Cantonment boundary takes turn on the south along the Burning Ghat

Road, crossing of burning ghat and Babiapur Road, turn North West along with Bibiapur Road upto the crossing of Dilkusha Road, turn South West along Dilkusha Road upto the crossing of Dilkusha and Mahatma Gandhi Road, turn on the North side along Mahatma Gandhi Road upto Petrol Tank and Debi street crossing, turn south West along Debi street upto Butcher Mohal Road, turn west along Butcher Mohal Road upto L. Gurcharan Lal Marg crossing, turn towards South West along L. Gurcharan Lal Road upto L. Mahabir Pershad Road and L. Gurcharan Lal Marg crossing, turn North West along L. Mahabir Pershad Road upto L. Kalloo Mal Marg, turn on the East North along L. Kalloo Mal Marg upto Lakri Mohal Nallah to Railway line boundary, turn West side along Cantonment Boundary and Railway Line upto Cantonment Boundary Pillar No. 81.

Ward No. IV.—From crossing of L. Mahabir Pershad Road and L. Kalloo Mal Marg along Mahabir Pershad Road on East South upto the crossing of L. Gurcharan Lal Road and L. Mahabir Pershad Road, turn towards South West along L. Gurcharan Lal Road upto Nehru Road crossing, turn towards South East along Nehru Road upto the crossing of Mahatma Gandhi Road, turn towards South West along Mahatma Gandhi Road upto the crossing of Kitchner Road, turn to North along Kitchner Road upto the crossing of Mangal Pande Marg, turn towards North East along Mangal Pande Marg upto the crossing of Nehru, L. Prabhoo Dayal and L. Kalloo Mal Roads turn towards North East along with L. Kalloo Mal Marg upto the crossing of L. Mahabir Pershad Road and L. Kalloo Mal Marg.

Ward No. V.—From Cantonment Boundary pillar No. 73 upto Cantonment Boundary pillar No. 81 along Railway line and Sadar Bazar pillar No. 15, Sadar Bazar boundary line on the Eastern side along with Railway line upto Lakri Mohal Nallah, turn towards South West along L. Kalloo Mal Marg upto the crossing of Nehru and Mangal Pande Marg, turn towards West along Mangal Pande Marg upto corner of Cantonment Primary School near R.B.I. Bazar nallah, turn North West along R.B.I. Bazar nallah, turn North West along R.B.I. Bazar nallah upto boundary pillar No. 73.

Ward No. VI.—From Cantonment Boundary pillar No. 73 on the East South along the R.B.I. Bazar nallah upto Mangal Pande Road near Cantonment Primary School turn on the West side on Mangal Pande road upto the crossing of Mangal Pande and Kitchner Roads, turn towards south along Kitchner Road upto the crossing of Cariappa Road, turn to East along Cariappa Road upto the crossing of Mahatma Gandhi and Cariappa Road, turn to South West along with M.G. Road upto Rai Bareilly Road crossing, turn towards South along Rai Bareilly Road upto Cantt. Boundary pillar No. 50, from Cantt. Boundary pillar No. 50 along with Cantonment Boundary upto Boundary pillar No. 73.

(No. F. 29/3/G/L&C/60.)

CANTONMENT ELECTION

S.R.O. 260, dated 23rd July 1960.—In exercise of the powers conferred by sub-section (1) of section 16 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to fix 27th September 1960, as the date on which election shall be held in Amritsar Cantonment.

(No. F. 29/G/L&C/57.)

PRITAM SINGH, Under Secy.

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACTS, 1890

AND

IN THE MATTER OF THE CENTRAL POST WAR RESETTLEMENT FUND

S.R.O. 261, dated 23rd July 1960.—Whereas the Staff Officer I. Resettlement Directorate, Ministry of Defence, acting in the administration of the Fund mentioned above and as the person who proposes to apply the Fund in trust for charitable objects has applied for vesting the Fund mentioned in Schedule 'A' hereto in the Treasurer of Charitable Endowments for India and for the settlement of a Scheme for the administration of the said Fund

It is hereby notified that the Central Government in exercise of the powers conferred by sections 4 and 5 of the Charitable Endowments Act, 1890 (6 of 1890), and upon the application as aforesaid and with the concurrence of the said Staff Officer I, both hereby order and direct that the moneys set out in Schedule "A" hereto shall as from the publication of this notification vest, and be henceforth vested, in the Treasurer of Charitable Endowments for India to be held by him and his successors in office (subject to the provisions of the Charitable Endowments Act, 1890, and the rules from time to time to be framed thereunder by the Central Government) upon trust to hold the said moneys and the income thereof in accordance with the trusts and terms set out in the Scheme set forth in Schedule "B" hereto.

And it is hereby further notified that upon the application as aforesaid and with the concurrence of the said Staff Officer I, the Central Government has under sub-section (1) of section 5 of the said Act settled the Scheme set forth in Schedule "B" hereto for the administration of the said endowment and under sub-section (3) of the said section 5 of the said Act, it is hereby further ordered that it shall come into force from the publication of this notification.

SCHEDULE "A"

A cash endowment of Rs. 20,32,529.47 nP. from the Post War Services Reconstruction Fund of the Central Government deposited in current account with the State Bank of India, New Delhi.

SCHEDULE "B"

IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT, 1890

AND

IN THE MATTER OF THE CENTRAL POST WAR RESETTLEMENT FUND

Scheme for the Administration of the Fund above mentioned.

1. **Definitions.**—Unless there is anything repugnant to the subject or context in the Scheme,

(a) 'the Fund' means the Central Post War Resettlement Fund,

(b) 'the year' means the financial year ending the 31st March.

2. **Object of the Fund.**—The object of the Fund shall be to promote measures for the benefit of ex-servicemen and their dependants primarily from the areas for which the moneys of the Fund were originally allocated and to do all other things as are incidental or conducive to the above object.

3. **Extent.**—The object of the Fund extends to the whole of India.

4. **Assets of the Fund.**—In addition to the moneys particulars whereof are given in Schedule "A" the assets of the Fund shall include grants from Government as well as donations and voluntary endowments whenever given or received.

5. **Vesting of Assets.**—The assets of the Fund including those particulars whereof are set out in Schedule "A" shall be vested in the Treasurer of Charitable Endowments for India under the Scheme.

6. **Management of the Fund.**—The Treasurer of Charitable Endowments shall not act in the management or administration of this Fund but, subject to any general or special directions given by the Central Government, such management and administration shall be vested in and rest with the Managing Committee as hereinafter mentioned.

7. **Managing Committee.**—For the management and administration of the Fund, a Managing Committee shall be constituted consisting of:—

Chairman

The Minister of Defence.

Members

Deputy Defence Ministers.

Secretary, Ministry of Defence.

Joint Secretary (incharge of resettlement of ex-servicemen), Ministry of Defence.

Joint Secretary (incharge of lands and farms), Ministry of Defence.
 Financial Adviser, Ministry of Finance (Defence).
 Joint Financial Adviser, Ministry of Finance (Defence).
 The Chief of the Army Staff.
 The Chief of the Naval Staff.
 The Chief of the Air Staff.
 The Adjutant General, Army Headquarters.
 The Director General of Resettlement.
 The Controller General of Defence Production.

Secretary

Deputy Secretary (incharge of lands and farms), Ministry of Defence.

Joint Secretary

Staff Officer I, Resettlement Directorate.

The Managing Committee shall have powers to co-opt any other person as Member.

8. **Provision regarding the members of the Managing Committee.**—(a) Where a person becomes a Member of the Managing Committee by reason of the office he holds, his membership shall terminate when he ceases to hold that office and his successor in office shall, unless otherwise directed by the Central Government, be deemed to have been nominated in his vacancy.

(b) Subject to preceding clauses a Member of the Managing Committee shall cease to be such Member if he dies, resigns, becomes of unsound mind, becomes insolvent, is convicted of a criminal offence involving moral turpitude, or is removed by the Central Government or is transferred from his present office.

(c) A resignation of membership shall be tendered to the Chairman of the Managing Committee and shall not take effect until it is accepted on behalf of the Committee by the Chairman.

(d) Subject to sub-clause (a) above, any vacancy in the Managing Committee caused by any of the reasons mentioned in sub-clause (b) shall be filled by nomination by the Central Government.

9. **Conduct of Business.**—The Managing Committee may meet together for the conduct of business, adjourn and otherwise regulate its meetings and proceedings as may be determined by the bye-laws. Unless otherwise determined the quorum for a meeting of the Managing Committee shall be three Members (personally present at the meeting). A meeting of the Managing Committee at which a quorum is present shall be competent to exercise all or any of the functions of the Committee. Every matter shall be determined by a majority of votes of the Members present and voting on the question. The Secretary and Joint Secretary of the Managing Committee shall have no right to vote. In case of equality of votes, the matter shall be decided by the person acting as the Chairman.

10. **Functions by the Managing Committee.**—The Managing Committee shall function notwithstanding that any person who is entitled to be a Member by reason of his office is not a Member for the time being and notwithstanding any other vacancy in the Managing Committee and no act or proceeding of the Managing Committee shall be invalid merely by reason of the happening of any of the above events or of any defects in the appointment of any Member of the Managing Committee.

11. **Framing of Bye-Laws.**—The Managing Committee shall make bye-laws for the regulation, management and for any other purpose connected with the execution of the Fund and the trusts thereof and may alter, vary or rescind the same from time to time.

12. **Appointment of Committees.**—The Managing Committee may appoint one or more Committees, as may be considered necessary.

13. **Delegation of Powers.**—The Managing Committee may delegate any of its powers to any Committee so appointed.

14. Members, Secretary and Joint Secretary of the Managing Committee not entitled to Remuneration.—Members, Secretary and Joint Secretary of the Managing Committee or any other Committee appointed as aforesaid shall not be entitled to any remuneration but shall be entitled to be reimbursed, in accordance with such bye-laws as the Managing Committee may make for that purpose, their actual travelling expense in respect of journeys to attend the meetings of the Managing Committee or other Committee or journeys undertaken by them for the purpose of the Fund.

15. Appointment of Staff.—Such staff as the Managing Committee may consider necessary shall be appointed by the Managing Committee and their remuneration and the terms of appointment shall be fixed by the Managing Committee. The expenditure on such staff shall be met from the Fund.

16. Deposit of Moneys.—All moneys received shall be deposited in one or more accounts at the State Bank of India or any other scheduled bank approved in this behalf by the Central Government.

17. Accounts and Audit.—Regular accounts shall be kept of all moneys and properties belonging to the Fund and shall be audited by a Chartered Accountant or firm of Chartered Accountants or any other recognized auditor as may be appointed by the Managing Committee. The auditor shall also certify that the expenditure from the Fund has been correctly incurred in accordance with the objects of the Fund. Copies of the annual account of the Fund duly audited and certified by the auditor of the Fund shall be submitted to the Managing Committee every year.

18. Operation of the Fund.—The Fund shall be operated on behalf of the Managing Committee jointly by the Secretary or Joint Secretary of the Committee and the Director General of Resettlement.

19. Contracts.—All contracts and other assurances shall be in the name of the Managing Committee and signed on its behalf jointly by the Secretary or Joint Secretary of the Committee and the Director General of Resettlement.

20. Use of the Fund.—It shall be lawful for the Managing Committee to expend the moneys in the Fund for the object of the Fund as mentioned above.

21. Application of the Fund.—Subject to the provisions of the Charitable Endowments Act, 1890, the Managing Committee shall have the power to control and administer the Fund and to apply the same or any part thereof as they may consider conducive to the object of the Fund.

22. Sale and Investment of Moneys.—The Managing Committee may request the Central Government to direct the Treasurer of Charitable Endowments for India to sell or otherwise dispose of any property of the Fund vested in him and, with the sanction of the Central Government, to invest the proceeds of the sale or other disposal of property as well as any moneys or property not immediately required to be used for the objects of the Fund in such security for money as may be proposed by the Managing Committee and specified in the direction, or in the purchase of immoveable property.

23. Receipt of Additional Endowments.—The Managing Committee may receive any additional endowments, donations or other contributions in augmentation of any of the moneys and properties of the Fund or for general purposes of the Fund. It may also receive endowments, donations or other contributions for any special purpose connected with this scheme not inconsistent with or calculated to impede the due working of the provisions of this scheme.

J. S. LALL, Jt. Secy.